IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

THE KRYSTAL COMPANY)	
)	
Plaintiff,)	
)	
v.)	Docket No. 1:06-CV-156
)	
FAB FORTY, INC., FAB FORTY ONE, INC.,)	Chief Judge Curtis Collier
FAB FORTY TWO, INC. and TIMOTHY)	
N. BEALS)	
)	
Defendants.		

ORDER

Based upon the Complaint (Court File No. 1), the application and brief in support of Plaintiff The Krystal Company ("Krystal")'s Application for a Temporary Restraining Order (Court File Nos. 2, 3), the declarations of James Richards and Bobby Medlen (Court File Nos. 4,5), and the arguments of counsel at the hearing on July 14, 2006, the Court **GRANTS** Plaintiff Krystal's Motion for a Temporary Restraining Order. The Court hereby **ORDERS**:

- (1) Defendants Fab Forty, Inc., Fab Forty One, Inc., and Fab Forty Two, Inc. are enjoined from the use of Krystal's trademarks, trade names, logos, designs, and business and merchandising systems.
- (2) Defendants Fab Forty, Inc., Fab Forty One, Inc., and Fab Forty Two, Inc. and Timothy Beal are enjoined to comply with the obligations set forth in Section 17.C of the franchise agreement between Krystal and Fab Forty, Inc., dated December 2, 2002, the franchise agreement between Krystal and Fab Forty One, Inc., dated September 17, 2001, and the franchise agreement

between Krystal and Fab Forty Two, Inc.,	dated November 23, 2001.
SO ORDERED.	
ENTER:	
	/s/
	CURTIS L. COLLIER CHIEF UNITED STATES DISTRICT JUDGE